

so set apart shall constitute the permanent funds of the several institutions to which the said funds are granted, the principal of which shall remain for ever undiminished, and shall be invested in state or United States bonds, the same as the permanent school fund of the state is now required to be invested, and they shall be endorsed as bonds of the endowment fund of the institution to which they belong, transferable only upon the order of the governor. The interest received upon such bonds, and upon the unpaid principal due the several funds on land contracts, shall be annually appropriated to the current funds of the institution entitled to receive the same, for their maintenance and support.

SEC. 4. That section four of said chapter five be and the same is hereby amended so as to read as follows :

Lands, disposal  
of, by whom.

Sec. 4. All right and title to and interest in the land mentioned in section one of this act, that may have been conveyed or vested in the trustees of the several institutions named in said section one, by sections three and four of said chapter five, are hereby declared subject to the control and disposal of the state, according to the provisions of this act.

Not to be construed to repeal provisions of a former act.

SEC. 5. This act shall not be construed to repeal a joint resolution of the legislature of the state of Minnesota, approved March 11, 1873, entitled, "Joint resolution to facilitate the settlement of the title to swamp lands heretofore granted by the state of Minnesota to state institutions and railroads," or any of the provisions thereof, or to impair the effect thereof, or of the actions and proceedings thereby authorized ; but any suit or proceeding heretofore commenced or that shall hereafter be commenced under the said joint resolution, may be prosecuted to final judgment in the same manner, by and against the same parties, and with the same effect, as if this act had not been passed.

When act to take effect.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved March 9, 1875.

---

## CHAPTER XCVI.

AN ACT TO DISPOSE OF THE LANDS GRANTED OR TO BE GRANTED BY THE UNITED STATES, SUBSEQUENT TO MARCH THIRD, A. D. ONE THOUSAND EIGHT HUNDRED AND FIFTY-SEVEN, TO AID IN THE CONSTRUCTION OF A RAILROAD FROM WINONA WESTERLY BY WAY OF ST. PETER TO A POINT ON THE BIG SIOUX RIVER SOUTH OF THE FORTY-FIFTH PARALLEL OF NORTH LATITUDE.

*Be it enacted by the Legislature of the State of Minnesota :*

SECTION 1. That any and all additional grants of lands made by the congress of the United States subsequent to the third day of March, eighteen hundred and fifty-seven, and prior to the passage of this act, or which may hereafter be made by the congress of the United States to the state of Minnesota, for the purpose of aiding in the construction or for the construction of a railroad from Winona westerly by way of St. Peter to a point on the Big Sioux river south of the forty-fifth parallel of north latitude, and to the terminus thereof in the territory of Dakota, as said railroad is now constructed, shall inure to the benefit of the Winona and St. Peter railroad company; and said lands and, the present and future interest of this state in or to them, are hereby granted and assigned unto said railroad company, and the title of all said lands heretofore or hereafter granted by the United States to the state of Minnesota for the purposes aforesaid shall vest in said railroad company at the time and upon the terms prescribed by the act or acts of congress making the grant; and it shall be the duty of the governor of this state, acting in the name of and for the state, to convey to said railroad company, its successors or assigns, by deed or deeds in fee simple the lands so granted. *Provided, however,* That this grant is upon the express condition that said railroad company shall relinquish to the United States the right and title of said railroad company in and to any of said lands occupied by actual settlers residing thereon and claiming the same in good faith under pre-emption filings or homestead entries made prior to February first, A. D. eighteen hundred and seventy-five, and who have in good faith complied with the requirements of the pre-emption or homestead laws as to settlement and cultivation, or any of said lands occupied by actual settlers who settled in good faith before survey, and who have since that time continued to reside thereon and who have not since such settlement been permitted to make pre-emption filings or homestead entries on and for such land, and any lands selected and granted to said company or the state in lieu of these tracts relinquished, shall inure to and be conveyed to said company in the same manner and on same terms as the lands herein before referred to; *Provided, further,* That application for such relinquishments shall be made to the company and to the governor of the state within six months after the passage of this act.

Lands to inure to Winona and St. Peter R. R., what.

Protection to actual settlers and pre-emption filings.

SEC. 2. This act shall take effect and be in force from and after its passage.

When act to take effect.

Approved March 2, 1875.